

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) CR. NO. 04-10148-RCL
)
 v.)
)
 SHAWN SANDLER)
)

JOINT MEMORANDUM
PURSUANT TO LOCAL RULE 116.5(C)

Pursuant to Local Rule 116.5(C), the United States and the defendant Shawn Sandler (collectively, the "parties") state as follows:

(1) The defendant is still in the process of reviewing discovery provided by the government on June 30, 2005. At present, however, there are no discovery issues to be presented to or resolved by the Court.

(2) The government has provided discovery regarding expert witnesses through its production of documents on June 30, 2005. To the extent the defendant seeks additional discovery, the government agrees to produce such discovery no later than 30 days before trial.

(3) The defendant does not intend to raise a defense of insanity or public authority.

(4) The government has not requested notice of an alibi by the defendant.

(5) The defendant has filed a motion to suppress evidence and the government has filed its opposition. The defendant does not

plan to file any further dispositive motions.

(6) As the defendant's suppression motion has already been scheduled for a hearing, no schedule needs to be set for any matter other than trial.

(7) The parties have discussed the possibility of an early resolution of the case without trial but as yet have reached no agreement. Although such discussions remain ongoing, the parties presently believe the case will proceed to trial.

(8) The parties estimate that the trial will last approximately eight trial days.

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